



THE MONTAGUE BUILDING AT THE EASTERN STATE HOSPITAL.

NEGRO HOSPITAL BETTER THAN WHITE

(Continued from First Page.)

whites, and that the attention at the negro hospital was better than here.

When asked to explain the reason of the higher white per capita, he replied that he could not, as he had never studied the question.

Senator Sadler then asked this question: "Is it a fact that the negro insane, who cost the State less than \$10 a year, gets more comfort in every way than the white insane, who cost the State \$20 a year more?"

Dr. Henderson replied that it was a fact.

The committee will continue the examination of Dr. Henderson to-morrow: **Bitter Feeling the Cause.**

To-morrow afternoon at 4:30 the committee will adjourn until Tuesday morning, May 16th, after which, it is said, a ten days session will complete the investigation. The adjournment is to allow the stenographer time to copy his notes and to permit the members of the committee to arrange their private business affairs.

The statement printed in The Times-Dispatch to-day that the cause of the investigation is the bitter feeling existing between the Superintendent, Dr. Henderson, and the special board, is acknowledged here to be the true one.

Dr. Foster to-day, upon reading the statement, said: "Yes, that is true, only you should have said one member of the special board, Mr. H. D. Cole was present, for he has been removed. I am in harmony with the present board."

The present board consists of Messrs. Cole, Bland and Wright. Mr. Clowes was, until a few months ago, a member of the special board.

The Morning Session.

The morning session began at 9:30 o'clock, with all the committee present. Chairman Sadler rapped for order, and then asked that the room be cleared for executive session.

Mr. George T. Bland, of the special board, as well as Dr. O. C. Wright, the new appointee, and Mr. H. D. Cole were present, making a full special board in attendance. All of these gentlemen will be placed on the stand, as well as Judge Garnett, late of the board.

Chairman Sadler, at the close of the executive session, announced that the matters discussed were of a purely legal character.

Sergeant-at-Arms Watkins then called Dr. Henderson, who did not conclude his testimony on yesterday.

Hon. Joseph T. Lawless, counsel for Dr. Foster, the superintendent, asked to be allowed to address the committee. Mr. Lawless complained that his client had been excluded from the court-room on yesterday, when his character was being assailed. He asserted that the questions asked Dr. Henderson tended to show that Dr. Foster, as superintendent, had not properly managed the hospital.

"For the first time in my life," said Mr. Lawless, "I found myself in court without a client."

At this point Chairman Sadler interrupted Mr. Lawless to say that Dr. Foster would be allowed to be present during the examination of any witness who testified as to his management of the hospital. Continuing, Senator Sadler said that any officer of the institution would be allowed to be present, if his or her character were assailed.

Senator Risson expressed the opinion that all should be present all the time. "The character of every officer of this institution is being assailed, and all should be present," said Senator Risson.

Excited Witness.

Chairman Sadler declined to rule as Senator Risson requested, stating that the committee had already passed upon the

question and had decided by a majority vote to exclude witnesses.

Senator Sadler then turned to Dr. Henderson and said:

"Dr. Henderson, do you object to testifying before Dr. Foster?"

"I will testify before any one. I do not object," replied Dr. Henderson.

Dr. Foster then entered and took a seat next to his counsel.

Mr. Lawless again protested against the ruling of the committee regarding excluding witnesses.

Mr. Ould then continued his examination of Dr. Henderson.

The witness stated that no examination was made of dead patients, and that if such was the case it was the exception and not the rule.

Continuing, the witness said that a new rule had been recently adopted regarding patients with suicidal tendency. These patients are kept in a certain ward, a special paper is prepared, describing the patient, and the attendants are compelled to sign the paper so that there can be no chance of the attendants not knowing of the suicidal tendency. He said that there had been no female suicidal since he had charge of the female wards. There had been four male suicides within that time.

Suicide of Bell.

He said that the rule was adopted by the special board and he thought it was enforced because of the suicide of a man named Bell, who was not known to be afflicted with suicidal mania. The suicidal patients were scattered all through the male wards, but they were separated in the female wards. Witness said that in his opinion, the use of a straight-jacket was not beneficial.

In answer to a question, witness said that there were no night attendants, other than the suicidal watch, and one that went through four times a night.

"I think that it would be of the greatest advantage if there were night attendants in case of sickness, of epileptic fits, when patients turn over and die from lack of attention. I have known this to occur. In this hospital the only patients who are not locked up are the female suicidal ones—all the others are locked up. In Petersburg at the negro asylum, there are no patients locked up. The lights are on all night and the attendants look after the patients. Here the lights are put out at midnight. I think that patients should be allowed to come out of their rooms at night. It would improve the health of the patients. Fights also occur here, and these would not occur if there were night attendants."

Compared Two Hospitals.

The witness drew a comparison between Central State Hospital (Petersburg negro asylum) and the Eastern State Hospital, showing that the white hospital here is far behind the negro institution.

Senator Sadler: "The State of Virginia is providing comforts for the negroes at Petersburg that are not enjoyed by the white patients there. Is this not so?"

Dr. Henderson: "That is my opinion."

Witness then told of the separate building for attendants at Petersburg and stated that the attendants here slept in the wards. He said that attendants had often complained of not being able to secure sleep on account of noise in the ward. He stated that there were no

places of amusement at the hospital except Cameron Hall, which is used as a dancing hall. The basement of Montague Hall, would, he thought, make a splendid amusement hall.

"Every institution should have such a place. It helps recovery," he said. "On rainy days patients have to sit on benches in the hall. There is but one small room where the patients can sit, and that on the female side."

Senator Sadler here urged witness to keep back nothing, but to tell all that he knew of improper conditions existing.

Beef Generally Tough.

The witness said that he had heard complaint of the beef from time to time. It was generally tough.

"I have heard it rumored that the beef was tainted. We do not have beef often on the officer's table. I do not eat it if I can avoid it."

"Do you have a straight-jacket on any patient under any circumstances, except where a patient was trying to commit suicide. I have used a jacket only once in the last twelve months, and then only for an hour. I do not consider a straight-jacket proper restraint."

Q: "Why did you use the jacket then?"

A: "Because I did not get an attendant and could not get one. There was none to be had."

Q: "Did you ever order a straight-jacket to be put on a patient in the infirmary?"

A: "I do not recollect ever having done so. I have seen jackets on patients in the infirmary."

(Chairman Sadler here addressed Mr.



THE INVESTIGATING COMMITTEE.

Petersburg consultations were held daily. "I think it very necessary," but we get on here fairly well and yet we do not hold consultations. For proper maintenance of the hospital consultations should be held. It is necessary for a plan of uniform treatment."

He said that he did not know what line of treatment Dr. Southall followed, and he felt sure that Dr. Southall did not know of his (Henderson's) treatment.

Senator Risson then asked witness to state in what respect the negroes at Central State fared better than the whites here. He replied in first, night watches and night attendants; second, sanitary conditions, and third, careful attention of physicians.

Q: How many more are there here than there?

A: There are 1,200 there and 700 here.

Witness also stated that nurses had a separate building at Petersburg, but there was none here. He stated that he had discussed these matters with the superintendent and with the directors.

In answer to a question Dr. Henderson said:

Negro Hospital Best.

"I consider the system at the Central (negro) is better than the system here."

The witness here went into a description of the system operated at the Central Hospital.

Dr. Henderson then stated that attendants take turn in giving medicine; that he considered this plan entirely wrong, but had been unable to break it up. The superintendent, he said, was in sympathy with him in this. He said that no copy of the printed rules of the hospital, signed by Dr. Moncure as superintendent, was given to him. The day nurse always gave the medicine and kept a chart showing the condition of all sick patients. Dr. Henderson stated that in his opinion the hospital should have a trained nurse; he thought it would greatly help the physicians in caring for the health of the patients. Witness said that in some of the rooms in the female side ten patients slept; that he considered this number too many, but that the hospital was so crowded that the condition could not be remedied.

Mr. Lawless then began his cross-examination of the witness.

Witness said that when he came here as first assistant there were probably seven or eight female patients in straight jackets. These patients were in a state of mania—that is, "excitement," as opposed to melancholia or "depression."

Witness here gave the names of some of the patients who were in straight jackets when he first came to the hospital. He again told of his endeavor to do away with the use of straight jackets.

Revolutionize System.

"Why did you not order the jackets discarded at once?" asked Mr. Lawless.

"Because I could not revolutionize the

system of the hospital at once," replied Dr. Henderson.

Witness then said that he did not use straight jackets in his ward. He said that he did not use jackets even with those suffering from suicidal mania.

"I would not use a straight-jacket on any patient under any circumstances, except where a patient was trying to commit suicide. I have used a jacket only once in the last twelve months, and then only for an hour. I do not consider a straight-jacket proper restraint."

Q: "Why did you use the jacket then?"

A: "Because I did not get an attendant and could not get one. There was none to be had."

Q: "Did you ever order a straight-jacket to be put on a patient in the infirmary?"

A: "I do not recollect ever having done so. I have seen jackets on patients in the infirmary."

(Chairman Sadler here addressed Mr.

in touch with the condition of the patients?"

A: "I cannot answer that question. The rule was made by the board."

Here Dr. Foster attempted to ask the witness a question.

Chairman Sadler stopped him, saying: "One at a time, doctor; you must not interrupt."

Witness said in answer to a question, that he could not remember what the reports of Dr. Southall made to him as acting superintendent last February contained.

Dr. Foster then went to the executive office to secure the original reports.

Rapid Fire Examination.

Colonel Lawless hurled a hundred questions at the witness with a view to getting his opinion of the necessity of the superintendent visiting the wards when there were no critical cases in the wards.

Witness continued to answer that the rules spoke for themselves. He personally, he said, could see no reason to visit patients who were not critically ill.

Witness then again related the incident of an attendant, Miss Dunlop, smacking Mrs. Reynolds, a patient, in the suicidal ward. He reported the fact in writing, but did not make a verbal report, as it did not come to his knowledge except from a patient. He said he did not have a knowledge of the fact.

The committee then took a recess.

The Afternoon Session.

The afternoon session began at 3 o'clock.

Chairman Sadler announced that the committee would adjourn to-morrow (Saturday), afternoon at 4:30 o'clock, to sit again on Tuesday morning at 10 o'clock, May 15th. This adjournment is made to allow the stenographer to copy his notes and to permit the sergeant-at-arms to summons witnesses who are considered necessary to the investigation.

Dr. Henderson then took the stand and Colonel Lawless continued his cross-examination.

Mr. Lawless endeavored to induce the witness to say that he did not think the "smacking" incident of sufficient importance to mention the matter verbally to the superintendent.

Witness declined to answer "yes" or "no."

Chairman Sadler interrupted the examination to say that the witness had answered "fully, freely and frankly."

"I challenge that statement," said Mr. Lawless, springing to his feet.

"Do you mean to question the veracity of the chair?" said Senator Sadler.

"Not your veracity, but your memory," replied Colonel Lawless, and the incident closed.

The chair a moment after replied that the questions were improper, and Mr. Lawless excepted to the ruling.

Witness stated that he did not question Miss Dunlop regarding the slapping on November 2, 1905, or at any other time.

Rule Requiring Report.

In reply to a question asking if he knew the rule which stated that he should report any improper act at once to the superintendent, witness stated that he had so reported in writing. He said that he had also told Mr. Clowes of the matter and that the matter was investigated by the board. He was present, he said, at the investigation, but preferred not to tell what Miss Dunlop said before the board, and that she was declared innocent.

Colonel Lawless then took up the question of the purchase of lobsters, oysters, clams, ducks, turtles, eelgrass, ice cream, soft-shell crabs, etc.

Dr. Henderson said that he had not purchased any of these things. He said that he had seen such things on the officers' table during the meetings of the board. He had never seen any of these things go into Dr. Foster's house. He had seen ducks, turtle and oysters on officers' table, but that was not the accustomed fare. He said that cigars were not furnished officers, but were kept up at the office. These cigars cost \$3 a hundred. He said that in his opinion the food was good. He had heard that the beef was not good sometimes.

Q: "Did you make daily visits through the wards when acting as superintendent?"

A: "I did not. I made many visits, but I did not make daily visits."

Q: "Did you consult with Dr. Southall daily?"

A: "I did not. He made a report to me and we discussed the cases casually."

Q: "Is it not true that all critical cases are removed to the infirmary?"

A: "It is too crowded. There is not room in the infirmary for the cases that should be there."

Q: "Is it necessary for the superintendent to visit the wards daily in order to keep

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CASES BEFORE THE COURT OF APPEALS

United States Court Hands Down
Opinions in Several Important Cases.

The United States Circuit Court of Appeals for the Fourth Circuit convened yesterday morning at half-past 10 o'clock, with Circuit Judges Goff and Pritchard, and District Judge Boyd presiding. The following cases were argued:

No. 633. Mary E. Hamlin, et al., appellants, vs. Virginia Passenger and Power Company, et al., appellees. Appeal from the Circuit Court at Richmond. Continued from yesterday. Further argued by Willis B. Smith, for the appellants, and submitted.

No. 659. The United States, appellant, vs. Donaldson-Shultz Company, appellee. Appeal from the Circuit Court of the United States at Richmond. Argued by L. L. Lewis, United States attorney, for the appellant, and by Isaac Diggs, of Richmond, Va., and H. I. Lewis, of West Point, Va., for the appellee, and submitted.

The court handed down its opinion in the following cases:

No. 634. Swift and Company, Limited, plaintiff in error, vs. J. F. Jones, defendant in error; in error to the District Court at Raleigh, N. C. Opinion by Judge Waddill. Cause remanded for a new trial.

No. 632. J. P. Kivren, plaintiff in error, vs. Virginia-Carolina Chemical Company, defendant in error; in error to the Circuit Court at Columbia, S. C. Opinion by Judge Dayton. Affirmed, with costs.

Continued until the July term.

No. 656. Richmond Standard Steel, Spoke and Iron Company, bankrupt, appellant, vs. Otway S. Allen, et al., appellees; appeal from the District Court at Richmond, Va. Continued on motion of Mr. William L. Royall until the special term in July.

Court adjourned until to-morrow morning at 10 o'clock.

WILL HELP SCHOOLS.

Travelling Expenses of Superintendent Out of General Fund.

Attorney-General William A. Anderson has rendered the following important opinion concerning the traveling expenses of the Superintendent of Public Instruction:

"There being no direction anywhere so far as I can find in any statute, requiring the traveling expenses of the Superintendent of the Public Instruction, as prescribed by law, to be paid out of, or charged against, the income derived from the literary fund, the school fund, or any other specific fund, there can be no question. I think, that the amounts appropriated to cover such expenses of the Superintendent of Public Instruction for the fiscal years aforesaid, are payable out of the public treasury in the same manner as his salary is payable, but the items or accounts of the same must, of course, be approved by the State Board of Education."

"The Power of Secret Sin"

The men's meeting to-morrow afternoon will be of unusual interest and profit to men. Dr. Lillian Fankford, of Norfolk, Va., one of the most prominent physicalists of that city, will be the speaker. His theme, "The Power of Secret Sin," is a message that every man ought to hear. The Grace Street Baptist Church quartette will sing. The meeting will be held in the Y. M. C. A. auditorium, Main and Sixth Streets, and will commence with a service of song at 8:30 o'clock.

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Called Meeting Monday.

The general Association for the Preservation of Virginia Antiquities will hold an important meeting next Monday at noon in the rooms of the Virginia Historical Society, the object of the meeting being to consider a proposition from the Diocese of Southern Virginia, relative to the church at Jamestown.

Basket-Ball Game Postponed.

The basket-ball game, which was scheduled to take place last night in the gymnasium of the Y. M. C. A. between the Redskins of the boys' class and the Little Giants of the intermediate class, has been postponed until next Friday night.



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